

REMARKS

Claims 111, 119, 120 are pending in the application. Claims 1-110 and 112-118 have been canceled.

Support for the “indwelling” amendment to claim 111 is found at page 45, line 26 of the as-filed application.

Claims 111-116 and 118-120 stand rejected under 35 USC 102 as being unpatentable over US Published Patent Application 2002/0173769 (“Gray”) in view of US Published Patent Application 2003/0125679 (“Kubota”) and US Patent No. 6,743,749 (Morikawa).

Applicants respectfully traverse.

The problem solved by the present invention relates to attaining sufficient photocatalytic activation of the indwelling portion of the catheter. Because Kubota teaches the use of UV light with photocatalytic catheters, and UV light has a very small dermal penetration depth (<1 mm), merely irradiating the titania-laden catheter from above the skin surface would not photoactivate the entire length of the tube, but rather substantially only that portion thereof extending out of the skin surface.

Kubota appears to recognize this problem and therefore the need to deliver light to the distal portion of the catheter, but teaches a different solution thereto. In particular, Kubota teaches to provide light guiding materials within the body of the catheter. See paragraph [0066] of Kubota. Therefore, Kubota teaches away from the present invention.

Morikawa does not cure the deficiencies of Kubota. Morikawa only teaches that nitrogen-doped titania is activated by visible light. Morikawa does not further teach that this quality allows for a different solution to the light penetration problem than that provided by Kubota, namely that the visible light has a sufficiently long penetration depth in skin to photoactivate the indwelling portion of the catheter and thereby obviate the need for incorporating light guiding materials into the catheter, as per Kubota.

Because neither Kubota nor Morikawa recognize the advantage of nitrogen-doping the titania present on the indwelling portion of the catheter, the present rejection should be withdrawn.

For this reason, the present rejection should be withdrawn.

Should there be any remaining or further questions, the Examiner is requested to place contact the undersigned directly.

Respectfully submitted,

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